

## BRUTAL MURDERER HAS SHOCKING END

At First Attempt to Hang Him the  
Rope Broke But Second Trial  
Was Successful.

## KILLED PARENTS AND CHILDREN

Young Missouri Farmer Did Not Like  
the Bargain He Had Made and  
When It Could Not Be Rescinded  
He Committed Murder—Confessed  
the Crime Later On.

(By Associated Press.)  
HOUSTON, MISSOURI, Dec. 21.—  
The hanging today of Jodia Hamilton,  
a twenty year old farmer, for the  
murder of five members of the  
family of Marney Parson, was un-  
usually gruesome, two attempts be-  
ing necessary before the execution  
was successful. The first rope broke  
as Hamilton shot through the trap  
with a jerk. The spectators saw  
Hamilton drop to the ground and  
lie there writhing. Hardly con-  
scious he was picked up quickly  
and carried a second time to the  
scaffold. The rope was hurriedly  
repaired and placed about the boy's  
neck and five minutes after the first  
attempt the trap was sprung the  
second time.

The second attempt was success-  
ful. The attending physician ex-  
pressed the belief that Hamilton  
was fatally injured by the first  
fall and died before he dropped  
the second time. The body was  
turned over to Hamilton's father.  
Hamilton, on October 18, last killed  
Barney Parsons, a neighboring farmer,  
Mrs. Parsons and their three  
small children. Parsons rented a  
farm near a farm owned by Ham-  
ilton. He sold his crops to Ham-  
ilton and started with his family  
overland for Iowa.

Hamilton had become dissatisfied  
with his bargain and lay in wait  
on the roadway for Parsons. He  
asked Parsons to repay the money  
and upon Parsons's refusal Hamilton  
shot him twice with a shot gun.  
Then he clubbed Mrs. Parson and  
the children to death. He was  
arrested and confessed.

## HEARST FIGHTING FOR BALLOT BOXES

One of the Many Cases Growing Out  
of the Election a Year  
Ago in Court.

(By Associated Press.)  
NEW YORK, Dec. 21.—The appli-  
cation of William R. Hearst to At-  
torney General Julius M. Mayer for  
leave to bring an action in quo  
warrant against Mayor George B.  
McClellan, came up on appeal before  
the appellate division of the Su-  
preme Court today. Assistant Cor-  
poration Counsel Butts, who appeared  
for the mayor, said that Mayor  
McClellan although nominally the  
appellant, was not really a party in  
interest. The real party he represented  
was the board of elections. "We  
maintain," said he, "that the title  
of the Mayor to his office should  
not be attacked indirectly in this  
manner and the matter kept going  
so long."

Mr. Shearen for Mr. Hearst said  
that it would seem absurd that  
Mr. McClellan should spend the  
city's money to issue a record of  
1200 printed pages and employ the  
city lawyer to prosecute an appeal  
in which he had no interest. He  
declared that it had been proven  
that in three out of four ballot boxes  
that had been opened there had  
been a fraudulent count.

The court reserved decision.

## Nobel Prize Trustees.

Marvin Hughitt and John Mitchell  
Accept President's Offer.

WASHINGTON, D. C. Dec. 21.—  
The President announces the ac-  
ceptance by John Mitchell, president  
of the United Mine Workers of  
America, and Marvin Hughitt, president  
of the Chicago & Northwestern Rail-  
way Company, as a representative  
of capital, of the places tendered  
them by the President as members  
of the board of trustees, five in  
number, to which he will convey  
the amount of the Nobel peace  
prize.

According to the President's plans,  
the Chief Justice of the Supreme  
Court, the Secretary of Agriculture  
and the Secretary of Commerce and  
Labor will be the other members  
of the board. The fund amounts  
to over \$37,000, and its income is  
to be expended in bringing together  
in conference at Washington rep-  
resentatives of labor and capital  
for the purpose of discussing in-  
dustrial problems.

## TENNESSEE LAWYER GETS GOOD POSITION

Edwin T. Sanford to Be the As-  
sistant Attorney in the De-  
partment of Justice.

(By Associated Press.)  
WASHINGTON, D. C. Dec. 21.—  
Edwin T. Sanford of Knoxville, Tenn., has been selected for ap-  
pointment as Assistant Attorney  
General in the Department of Jus-  
tice to succeed J. C. McQuinn, who  
will retire January 1st. Mr. San-  
ford is a native of Tennessee, a  
graduate of the University of Ten-  
nessee, of Harvard college, and Har-  
vard law school. He has several  
times led the Republican campaign  
in Tennessee. He was president  
of the Tennessee bar association  
last year. He is a part owner of  
Knoxville Journal and Tribune.

## ROOSEVELT FAMILY WILL VISIT PINE KNOT

Will Spend Four or Five Days Next  
Week at Their Virginia  
Home.

WASHINGTON, Dec. 21.—Presi-  
dent and Mrs. Roosevelt and their children  
will probably spend four or five days  
of the Christmas season at "Pine  
Knot," their Virginia home. President  
Roosevelt today gave his cabinet  
to understand that there would  
not be another meeting of the cabinet  
for about two weeks, as he expects  
to be out of the city Friday of next  
week and the Tuesday after that will  
be New Year's Day, when the Presi-  
dent will hold his regular reception to  
the officials and public of Washing-  
ton.

It is thought the President and his  
family will leave here for Pine Knot  
about Wednesday or Thursday of next  
week, and they will not return until  
the Monday night afterward, so as to  
get here for the January 1 reception.

## ITS AMBASSADOR BRYCE

Semi-Official Announcement of Sir  
Mortimer Durand's Successor.

## HE ADMITS HIS APPOINTMENT

President Roosevelt intimates That  
Mr. Bryce is Entirely Acceptable  
to This Government—No Date  
Named for His Coming.

(By Associated Press.)  
LONDON, Dec. 21.—The ap-  
pointment of James Bryce to be am-  
bassador at Washington in succession  
to Sir Mortimer Durand, is now ad-  
mitted by Mr. Bryce himself. Dur-  
ing the closing session of Parlia-  
ment today Mr. Bryce refrained from  
making any specific statement re-  
garding the reports in circulation,  
but being repeatedly questioned by  
his colleagues he did not deny that  
this was his last day in Parliament.

Roosevelt is Satisfied.  
WASHINGTON, D. C. Dec. 21.—  
In reply to inquiries by the British  
government, President Roosevelt has  
indicated that the appointment of  
James Bryce to be British am-  
bassador to the United States will be  
entirely acceptable to this govern-  
ment.

## OLD U. S. S. FRANKLIN HAS NARROW ESCAPE

Famous War Vessel Was Saved From  
Burning Up Only By Ener-  
getic Work.

NOFOLK, VA., Dec. 21.—The quick  
discovery of a fire today on board  
the historic United States S.  
Franklin now used as a receiving  
ship at the Norfolk navy yard,  
probably saved the craft from de-  
struction. The blaze originated in  
an unknown manner between the  
hull of the Franklin and the inner  
partition where it is calked with  
pitch and oakum. It was burning  
briskly when the fire call was sound-  
ed. Prompt work upon the part of  
the seamen extinguished the fire  
before any amount of damage had  
been done, though it was necessary  
to chop away a good deal of the  
inner work to reach the blaze.

## Bank Clearances.

NEW YORK, Dec. 21.—Total bank  
clearings \$3,588,129; increase 2.9 per  
cent.; outside New York city \$1,181,  
109,946; increase 4.6 per cent.  
Richmond, \$6,640,614, increase 13.2.  
Savannah, \$6,119,956, increase 23.3.  
Atlanta, \$1,333,770, increase 24.3.  
Norfolk, \$2,459,524, increase 26.8.  
Augusta, \$1,815,854, increase 11.7.  
Charleston, \$1,700,152, increase 6.1.  
Knoxville, \$1,655,139, increase 26.2.  
Jacksonville, \$1,429,627, increase  
12.2.  
Macon, \$764,212, increase 10.5.

## ONE LESS BLACK BRUTE IN WORLD

Staid Old Annapolis, Md., Was the  
Scene of the Act of an  
Angry Mob.

## HAPPENED NEAR STATE CAPITAL

Henry Davis Committed an Assault  
on a White Woman and Pays the  
Extreme Penalty for It—Had Been  
Convicted of a Similar Crime Once  
Before.

(By Associated Press.)  
ANNAPOLIS, MD., Dec. 21.—A  
mob numbering 25 or 30 men broke  
down the door of the Annapolis jail  
at an early hour today and took out  
Henry Davis, the negro who on last  
Friday criminally assaulted Mrs.  
John Reid (white), near Iglehart's  
station and lynched him. Davis, who  
also was known by the name of  
Chambers, had confessed his guilt.  
Little or no resistance was offered  
by the mob by the officers at the jail  
and none whatever by the prisoner.  
He was dragged to a vacant lot  
on College Creek, a quarter of a  
mile distant, where he was hung  
up to a limb of a tree and half a  
dozen bullets fired into him.

As the body was being let down  
one of the lynchers exclaimed:  
"Another white woman is avenged."  
On the way to the place of execution  
members of the lynching party  
kicked and cuffed Davis at every step.  
His body was left lying under the  
tree which had served as the gal-  
lows and it was viewed by hundreds  
of persons during the day.

Later a coroner's jury was em-  
paneled and after hearing testi-  
mony returned a verdict of death  
at the hands of parties unknown.  
The prison from which Davis was  
taken is a hundred years old. It  
is situated in Calvert street and is  
only about 500 yards from the State  
house and the executive mansion.  
The lynching party used Senior  
hall of St. John college for its  
assembly place. This fact is taken  
to indicate that most of the men  
connected with the affair were An-  
napolitans and did not come from  
Iglehart's station, where Mrs. Reid  
lives. As early as eleven o'clock, it  
appears, the mob began to collect  
on St. John's campus and some time  
after twelve the crowd forced the  
lower door of Senior hall. There  
its members proceeded to blacken  
their faces and some of them donned  
masks. They were quiet in their  
movements but some of the students  
were awakened.

Students Didn't Interfere.  
These later came down and  
watched the proceedings but did not  
interfere or give an alarm. The  
college authorities strongly denied  
today that any of the students were  
implicated in the lynching. Most  
of them are at their homes for the  
holidays. On the way to the jail  
the mob stopped at the Annapolis  
gas plant and tried to enter, but  
failed. It is presumed that the  
intention was to cut off the town  
lights. Deputy Sheriff Smallwood  
pleaded with the mob to let the law  
take its course. He was told, he  
says, to "get up those stairs. We want  
that nigger and we'll get him or  
kill every man in the jail." At  
the point of a pistol the warden,  
George Taylor, surrendered the keys.

Sheriff's Explanation.  
Sheriff Linthicum in explanation  
of the apparent lack of prepared-  
ness for an attack on the jail said  
he did not expect the talk of lynching  
to amount to anything. There  
had been talk of mob violence Sun-  
day and Monday, and on these two  
nights the sheriff said he remained  
all night in the jail.

Davis was arrested on Sunday,  
the 16th, on suspicion. At first  
he protested his innocence of any  
connection with the crime but the  
next day after being confronted by  
his victim who identified him as her  
assailant, he confessed.

## He Was a Bad Negro.

Davis had already served a term  
in the penitentiary for a crime  
similar to the one for which he was  
lynched.

In 1900 he was convicted for an  
assault upon a colored woman and  
served two years in the peniten-  
tiary.

## Gov. Warfield Expresses Regret.

BALTIMORE, MD., Dec. 21.—  
Governor Edwin S. Warfield, who  
came here today from Annapolis,  
where he spent last night, said he  
knew nothing about the lynching  
until he read it in the newspaper  
extras. He added: "I have no in-  
timation that any such act was con-  
templated so I could not cooperate  
in preventing it. I hope the grand  
jury of Anne Arundel county will  
immediately take steps to discover  
and punish the men who partici-  
pated in the lawless act. I greatly  
regret the occurrence and deprecate  
and denounce such lawlessness."

## ARMY OFFICER SHOT BY NEGRO SOLDIER

Believed That Would be Murderer  
Was One of Discharged  
Twenty-Fifth Men.

## CAPTAIN MACKLIN THE VICTIM

He is Badly Wounded, But is Believed  
That His Wounds Are Not Nec-  
essarily Fatal—Scene of the  
Shooting Was at El Reno, Okla-  
homa.

(By Associated Press.)  
EL RENO, OKLA., Dec. 21.—Cap-  
tain Edgar B. Macklin, of Company  
C, Twenty-fifth United States Infan-  
try, was shot twice and severely  
wounded tonight by a negro and be-  
lieved is expressed that it was one of  
the members of the troops discharged  
by President Roosevelt for partici-  
pation in the Brownsville riots. Blood  
hounds will be brought here from Ok-  
lahoma city to track the assassin.  
The shooting occurred at the offi-  
cer's quarters at Fort Reno. Captain  
Macklin and his wife were seated at  
the dinner table when some one tried  
to gain entrance at the side door. Cap-  
tain Macklin asked "Who is there?"  
The reply came, "I have a message  
for you."

"Come around to the back door,"  
said Captain Macklin. A negro, part  
of his face covered by a mask entered  
with a command "Throw up your hands  
and give me all the money you have  
got."  
Without giving Captain Macklin  
time to reply the negro fired twice  
then fled into the darkness. One bul-  
let entered Captain Macklin's abdo-  
men, the second struck him in the  
jaw. The surgeon says that the  
wounds are not necessarily fatal.

## LEWIS WINS SECOND.

Norfolk Man Beats Doctor Bagby in  
Pool Game.

W. M. Lewis, of Norfolk, last night  
won the second game of the pool tour-  
nament being played at Rehlken's pool  
room, defeating Dr. J. R. Bagby by  
100 to 61 points. Quite a crowd of  
pool enthusiasts witnessed the game.  
Eddie Dennis was to have played  
Dr. Bagby last night, but he was un-  
able to fill the engagement. The next  
match will be between Dennis and  
Dodd and will be played next week.

## NEGROES NARROWLY ESCAPE SUFFOCATION

Fire in a Hampton House Early  
This Morning Nearly Caused  
Death of Two Women.

Four negroes residing in Myrtle  
street, Hampton, had a narrow es-  
cape about one o'clock this morn-  
ing from being suffocated. They  
were J. J. Harris, Caesar Armstrong,  
Ann Mathews, and her daughter,  
Mary Mathews.

The men in the house were awak-  
ened about one o'clock by dense  
clouds of smoke in their room.  
Groping their way to the room  
which was occupied by the women  
found the smoke even more intense  
and the women in a semi-conscious  
condition and it was with a difficult  
matter to get the females from the  
house. Cries for assistance  
brought neighbors to the scene and  
the flames, which had been caused  
by a defective flue, were extinguished  
after a hard fight. The fire was  
practically out when the fire de-  
partment arrived.

The women revived when they  
got out into fresh air, but in another  
few more minutes they would un-  
doubtedly both have suffocated. The  
loss to the house amounts to \$75.

## WILL RESCUE HICKS, THE ENTOMBED MINER

Men Who Are Digging Him Out  
Hand Him Solid Food and  
Touched Him Yesterday.

(By Associated Press.)  
LOS ANGELES, CAL., Dec. 21.—  
A telephone message received at  
the Edison offices tonight says: "We  
had to temporarily abandon the  
project of reaching Hicks, the entombed  
miner, but expect to reach him  
soon. The workmen actually touched  
him and solid food was handed him  
this morning. He says he is all  
right and we expect to notify you  
at any time that he has been taken  
out another passage which is be-  
ing built of timber over the car  
and the man will be carried out  
through that. "Hicks laughs and  
jokes constantly with the workmen.  
He seems very high spirited, al-  
though not hysterical. The whole  
camp is grouped about the mouth  
of the tunnel to watch him when  
he comes out."

## SHORTAGE OF CARS IS HURTING TRADE

Not Only Retards Business But  
Threatens Serious Results in  
Some Sections.

NEW YORK, Dec. 21.—R. G. Dunn  
and company's weekly report of  
trade tomorrow will say:  
Weather conditions accelerated  
distribution of reasonable merchan-  
dise at retail, but increased difficul-  
ties, in traffic and freight blockades  
and the shortage of motive power  
not only retard business but threat-  
ens serious results at some western  
points. Holiday trade has equalled  
sanguine expectation, yet this large  
volume has not interfered with the  
distribution of staple articles, which  
depleted stocks to such an extent  
that wholesale trade experienced  
unusual activity for the season.  
Most industrial work is main-  
tained at the maximum, mills and  
factories having so many contracts  
for next year's delivery that in-  
ventories received little attention.  
In the primary market for textile  
goods the event of greatest interest  
is the strength of cotton and the  
practical impossibility of securing  
prompt deliveries from manufac-  
turers. While the demand may have  
diminished somewhat in comparison  
with the pressure that has been  
exerted for some weeks, there is  
still a steady inquiry, and selling  
agents are utterly unable to arrange  
shipments as requested. There is  
little disposition to dispute quota-  
tion if the goods can be secured  
and so much business has been trans-  
acted that the question is raised as  
to how much speculative buying has  
occurred. There is no export trade,  
aside from the regular movements  
to South America.

Staples from products have fluctu-  
ated within narrow limits, no de-  
velopments of importance being re-  
ported. Wheat had the support of  
unfavorable crop news from Russia,  
but light grinding by domestic mills  
prevented any material improvement  
and there was no speculative activity.  
Liabilities of commercial failures  
thus far reported for December  
amount to \$703,827.

## TEDDY TAKES TWO CATS

Roosevelt Receives Legacies of  
Mrs. Lulu B. Grover.

## TOOK CHARGE OF FUNERAL ALSO

Has Not Taken The Money But is  
Advertising for Any Heirs She  
May Have Left—Was Woman of  
Mystery.

(By Associated Press.)  
NEW YORK, Dec. 21.—Before  
Mrs. Lulu B. Grover committed sui-  
cide by taking poison in her Ham-  
len home on December 5 she ex-  
pressed in writing the wish that  
President should receive her per-  
sonal property. She added the  
hope that Mr. Roosevelt would or-  
der the disposal of her body and  
take care of her pets, two Angora  
cats. Today it was learned that  
although President Roosevelt had  
never met the woman her wish had  
been respected. Acting under the  
President's orders United States  
District Attorney Henry L. Stanton,  
in conjunction with the public ad-  
ministrator, supervised the crema-  
tion of the body and forwarded  
the two pet Angora cats to the  
White House.

Secret service men also saw that  
all the property left by Mrs. Grover  
was taken in charge by the public  
administrator and advertisements in-  
serted in the newspapers notifying  
her relatives of her death.

## Monument to Burgesses.

(Special to the Daily Press.)  
NORFOLK, VA., Dec. 21.—The Nor-  
folk branch of the Society for the  
Preservation of Virginia Antiquities  
last night voted to erect a \$1,200 mon-  
ument on Jamestown island to the  
memory of the members of the first  
colonial house of Burgesses in Vir-  
ginia, and awarded the contract for  
the same to the Couper marble works  
of this city.

## New Article to Treaty.

(By Associated Press.)  
WASHINGTON, D. C. Dec. 21.—  
Secretary Root and Sir Mortimer  
Durand today signed a supplement-  
ary article to the existing tradition  
treaty between the United States  
and Great Britain, including bribery  
in the list of extraditable crimes.

## Have Served Long Terms.

(By Associated Press.)  
LURAY, VA., Dec. 21.—Page county  
today has two justices of the  
peace who have held office perhaps  
longer than any other magistrates in  
the State. They are J. F. Oppen-  
becker, of Mountville district and  
George S. Merica, of Shenandoah dis-  
trict, the former having been in the  
office for thirty-five years, and the  
latter twenty-four years.

## ATTEMPTED TO KILL A CHICAGO JUDGE

Man Who Thought he Had Been  
Deprived of His Rights Had  
Murder in His Heart.

## JUDGE SAVED HIS OWN LIFE

Grappled With the Man Who Want-  
ed to Assassinate Him and Held  
Him Till Assistance Arrived—Police  
Believe That the Would Be Mur-  
derer is Insane.

(By Associated Press.)  
CHICAGO, ILL., Dec. 25.—A des-  
perate effort was made today to  
assassinate Judge Charles S. Cutting,  
of the probate court, the assailant  
being Frank F. Ellerbeck of No. 810  
North California avenue. Eller-  
beck is believed to be insane. Judge  
Cutting escaped injury by a hair's  
breadth and overpowered his as-  
sailant after a fierce fight.

As the judge entered the criminal  
court building on his way to  
his chambers, Ellerbeck who was  
standing in the hallway, stepped  
forward and when within two feet  
of Judge Cutting drew a revolver  
and fired. Judge Cutting instantly  
turned and struck his assailant a  
heavy blow in the face, almost  
knocking him down. Before Eller-  
beck could recover Judge Cutting  
grabbed him by the throat and  
threw him backwards over a radiator  
where he held him despite the  
man's desperate efforts to escape.

Deputy Sheriff Broderick and Wil-  
son, who had heard the shot, hast-  
ened to the assistance of Judge  
Cutting and, wrestled the revolver  
from Ellerbeck. Judge Cutting then al-  
lowed Ellerbeck to rise from the  
radiator and the man attempted  
to attack him once more. The two  
men struggled back and forth across  
the hallway and the judge, with the  
assistance of the two deputy sheriffs,  
finally threw Ellerbeck to the floor.  
Ellerbeck fought until exhausted.  
He then commenced to beg for  
mercy saying: "Don't hurt me,  
please don't hurt me."

He was taken into the office of  
Deputy Sheriff Stohert where he  
refused to give any information  
regarding himself. He was taken to  
the police station where his name  
was ascertained.

Never Rattled the Judge.  
Judge Cutting throughout the ex-  
citement remained cool and collect-  
ed. After seeing that Ellerbeck  
was safe in custody he went on  
to his court room and within a  
few minutes was transacting busi-  
ness as usual.

Ellerbeck has frequently been  
about the probate court and for  
some time has labored under the  
hallucination that he has been de-  
prived of his rights to a share in the  
estate of his sister who died several  
years ago. He has repeatedly ap-  
pealed to Judge Cutting to reopen  
the case.

Judge Cutting told him that if  
he would furnish proof that the  
estate had been improperly closed  
he would reopen it at any time.

This was unsatisfactory to Eller-  
beck who has repeatedly accused the  
judge, demanding that he be  
paid what he considered his share  
of his sister's fortune.

## Thought Mob Was After Him.

(By Associated Press.)  
NORFOLK, Dec. 21.—Fearing death  
at the hands of an imaginary mob,  
Henry Hutton, of New York, cut his  
throat from ear to ear last evening  
while waiting to board a trolley car.  
At the jail hospital the man declared  
that he had committed a great wrong  
against a brother Mason, and that an  
enraged mob of Masons was constan-  
tly pursuing him to take his life. He  
may live.

## Thomas Stinton Drowned in River.

(By Associated Press.)  
SCOTTSVILLE, VA., Dec. 21.—  
Thomas Stinton, of Buckingham coun-  
ty, the father of Dr. L. R. Stinton,  
of this place, was drowned Wednesday  
afternoon by attempting to cross the  
James river from the landing place a  
short distance above Warren.

## Fined for Selling Liquor.

CHATHAM, VA., Dec. 21.—At the  
regular December term of Pittsylvania  
county circuit court, Judge Har-  
vey presiding, the following cases  
have been tried: James P. Hall, for  
injurying a man, fined \$20 and sen-  
tenced to one hour in jail; George  
Roberts, a negro, for shooting Mr. Per-  
row, acquitted; J. P. Devin, for sell-  
ing liquor without license, fined \$20  
and costs; W. R. Hines, for selling  
liquor, fined \$20 and costs in two  
cases.

## Life Sentence for Curtis Jett.

LOUISVILLE, KY., Dec. 21.—Curtis  
Jett was today found guilty of the as-  
sassination of James Cockrell, at Jack-  
son, Ky., four years ago. He was sen-  
tenced to life imprisonment.